

REMARKS

The Office Action has been received and reviewed. In light of the above amendments and following remarks, Applicant submits that the application is in condition for allowance, for which early action is requested.

Claims 18, 20-28, 30, 33, and 35-43 are currently pending in the application. Claims 19, 29, 31-32, 34, and 44 are canceled.

Claims 18-30 and 32 were objected to because the term “operable to” may be interpreted as an intended use and not a positive recitation. The term “operable to” has been removed from these claims which now recite active limitations. Accordingly, Applicants believe this objection has been overcome.

Claim 32 was rejected under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 32 has been canceled. Therefore, this rejection is moot.

Claims 18-20, 23-24, 26, 29-39, 41-42 and 44 were rejected under 35 U.S.C. §102(e) as being anticipated by Meyer (U.S. Patent 6,700,902). Claims 25, 27-28, 40, and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Meyer in view of Barany (U.S. Patent 6,434,140).

The independent claims have been amended to recite “wherein the second segment comprises a second segment size less than the minimum segment size.” (Claims 18, 30, 33) This limitation was taken from canceled dependent claim 19. The Examiner relies upon Figure 5 of Meyer to meet this limitation. Specifically, the Examiner contends Meyer’s Figure 5 discloses the string is segmented into a size which is smaller than can be used in the minimum packet size per 65a and 65b. (Office Action page 3) However, Meyer simply shows that the string can be divided into segments and that a packet having a one-quarter data load is possible. Nowhere does Meyer relate this one-quarter data load to the minimum packet size. Moreover, Meyer does not indicate or imply that this one-quarter data load is less than the minimum packet size as required in the present claims. Similarly, Barany does not show this feature of the claims.

Accordingly, for at least this reason, Meyer and Barany fail to obviate the present invention and the rejected claims should now be allowed.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is now in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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